

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Harrisonburg Division)**

| | | |
|--|---|----------------------------------|
| PITT OHIO EXPRESS, LLC, et al. |) | |
| Plaintiff, |) | |
| v. |) | Civil Action No. 5:11cv59 |
| PAT SALMON & SONS, INC., et al. |) | |
| Defendants. |) | |

**DEFENDANTS C. BEAN TRANSPORT, INC. AND WILLIAM MICHAEL FEWELL'S
MOTIONS IN LIMINE**

COME NOW Defendants C. Bean Transport, Inc. and William Michael Fewell and move *in limine* to exclude all evidence related to: (1) Safestat, C. Bean Transport, Inc.'s Safestat reports or statistics, use of the Safestat, or violations listed on Safestat; (2) C. Bean Transport, Inc.'s DOT audits or results thereof; (3) the bankruptcy of C. Bean Transport, Inc. and absence of a corporate representative at trial; and (4) opinions and testimony of Pitt Ohio's expert, Steven W. Rickard. In support thereof Defendants submit and incorporate by reference its Memorandum in Support of its Motions *in Limine*.

**C. BEAN TRANSPORT, INC.
WILLIAM MICHAEL FEWELL**
By counsel

/s/ Rebecca L. Dannenberg

Rebecca L. Dannenberg

VA Bar No.: 46787

Attorney for C. Bean Transport, Inc., and William
Michael Fewell

FRANKLIN & PROKOPIK, P.C.

2325 Dulles Corner Blvd., Suite 1150

Herndon, Virginia 20171

Telephone: (703) 793-1800

Facsimile: (703) 793-0298

rdannenberg@fandpnet.com

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of May, 2012, that I served via electronic filing and U.S. Mail, postage pre-paid, a copy of the foregoing and all referenced documents to counsel indicated below:

David W. Hearn, Esquire
Justin Wright Ward, Esquire
SANDS ANDERSON PC
1111 East Main Street, Suite 2400
Richmond, VA 23219-1998
dhearn@sandsanderson.com
jward@sandsanderson.com

Michael Nerone, Esquire
Pion Johnston
1500 One Gateway Center
Pittsburgh, PA 15222
mnerone@pionjohnston.com
Counsel for Plaintiffs

Joseph F. Cunningham, Esquire
Joshua Hoffman, Esquire
CUNNINGHAM & ASSOCIATES, PLC
1600 Wilson Boulevard, Suite 1008
Arlington, VA 22209
jcunningham@cunninghamlawyers.com
jhoffman@cunninghamlawyers.com
Counsel for Defendants Pat Salmon & Sons, Inc. and John Joseph Banik

/s/ Rebecca L. Dannenberg
Rebecca L. Dannenberg
VA Bar No.: 46787
Attorney for C. Bean Transport, Inc., and
William Michael Fewell
FRANKLIN & PROKOPIK, P.C.
2325 Dulles Corner Blvd., Suite 1150
Herndon, Virginia 20171
Telephone: (703) 793-1800
Facsimile: (703) 793-0298
rdannenberg@fandpnet.com